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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in the Lok Sabha on 24th October, 2008:—

BILL No. 66 OF 2008

A Bill further to amend the President's Emoluments and Pension Act, 1951.

Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the President's Emoluments and Pension (Amendment) Act, 2008.

Short title and
commence-
ment.

(2) The provisions of section 2 and clause (i) of section 3 shall be deemed to have come into force on the 1st day of January, 2006 and remaining provisions of this Act shall come into force at once.

2. In section 1A of the President's Emoluments and Pension Act, 1951 (hereinafter referred to as the principal Act), for the words "fifty thousand rupees", the words "one lakh fifty thousand rupees" shall be substituted.

Amendment
of section 1A.

3. In section 2 of the principal Act,—

Amendment
of section 2.

(i) in sub-section (1), for the words "of three lakh rupees per annum", the words "at the rate of fifty per cent. of the emoluments of the President per month" shall be substituted;

(ii) in sub-section (2), for clauses (a) and (b), the following clauses shall be substituted, namely:—

"(a) to the use of a furnished residence (including its maintenance), without payment of rent, two telephones (one for internet and broadband connectivity), one mobile phone with national roaming facility and a motor-car, free of charge or to such car allowance as may be specified in the rules;

(b) to secretarial staff consisting of a Private Secretary, one Additional Private Secretary, one Personal Assistant, two Peons and office expenses up to sixty thousand rupees per annum."

Amendment
of section 3A.

4. In section 3A of the principal Act, for clause (b), the following clause shall be substituted, namely:—

"(b) after ceasing to hold office as President, either on the expiration of his term of office or by resignation of his office, shall be entitled,—

(i) to the use of furnished residence (including its maintenance) without payment of licence fee;

(ii) to secretarial staff consisting of a Private Secretary and a Peon and office expenses as per actuals, the total expenditure on which shall not exceed twelve thousand rupees per annum;

(iii) to a telephone and a motor-car, free of charge or such car allowance for the remainder of his life, as may be specified in the rules;

(iv) to travel anywhere in India, in a calendar year to twelve single journeys, by the highest class, by air, rail or steamer, accompanied by a companion or a relative."

Insertion of
new section 6.
Power to
remove
difficulties.

5. After section 5 of the principal Act, the following section shall be inserted, namely:—

"6. (1) If any difficulty arises in giving effect to the provisions of this Act, as amended by the President's Emoluments and Pension (Amendment) Act, 2008, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiration of two years from the date on which this Act comes into force.

(2) Every order made under sub-section (1) shall be laid before each House of Parliament."

STATEMENT OF OBJECTS AND REASONS

Section 1A of the President's Emoluments and Pension Act, 1951 provides that there shall be paid to President, by way of emoluments, fifty thousand rupees per mensem. Sub-section (1) of section 2 of the said Act provides for pension of three lakh rupees per annum to the retired Presidents. In order to maintain parity in the emoluments of various constitutional functionaries, it is proposed to enhance the emoluments of the President from rupees fifty thousand per mensem to rupees one lakh and fifty thousand per mensem. It is also proposed to entitle a retired President to a pension at the rate of fifty per cent. of the emoluments of the President per mensem with effect from 1st January, 2006.

2. The former Presidents are entitled to the use of a telephone at the residence, free of charge. In the light of changes in modern technology and for the ease of communication, it is proposed to provide an additional telephone facility including Internet and broadband connectivity and a mobile phone with national roaming facility free of charge to former Presidents.

3. The former Presidents are also entitled to one Private Secretary, one Personal Assistant, one Peon and rupees twelve thousand per annum as office expenses. In order to maintain parity with other dignitaries, it is proposed that the strength of the personal staff of a former President be increased by providing an Additional Private Secretary and an extra Peon. Further, keeping in view the inflation over the years, the office expenses are proposed to be increased from rupees twelve thousand per annum to rupees sixty thousand per annum.

4. The spouse of a deceased President is entitled to a rent-free unfurnished accommodation. To mitigate their hardships, it is proposed to make the spouse of a deceased President entitled to a furnished residence including its maintenance; secretarial staff consisting of one Private Secretary and one Peon with office expenses as per actuals, but not exceeding rupees twelve thousand per annum; a telephone and a motor-car, free of charge; travel facilities anywhere in India along with a companion or relative by the highest class by air, rail or steamer restricted to twelve single journeys in a calendar year.

5. The Bill seeks to achieve the above objects.

NEW DELHI;
The 15th October, 2008.

SHIVRAJ V. PATIL.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF
INDIA

[Copy of letter No. 10/19/96-M&G dated the 21st October, 2008 from Shri Shivraj V. Patil, Minister of Home Affairs to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the President's Emoluments and Pension (Amendment) Bill, 2008, recommends the introduction of the Bill in Lok Sabha under article 117(1) of the Constitution as also the consideration of the Bill by Lok Sabha under article 117(3) of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for increase in the emoluments of the President.

2. Clause 3 of the Bill provides for increase in the pension of the former President of India and facilities of one additional telephone with Internet and broadband connectivity and one mobile phone with national roaming facility. Also there is a provision for additional secretarial staff consisting of an Additional Private Secretary and a Peon and increased office expenses of rupees sixty thousand per annum.

3. Clause 4 of the Bill provides that in the event of death of a person who holds or has held office as President, the surviving spouse of such person shall be entitled, for the remainder of his or her life, to the use of furnished residence (including its maintenance) without payment of licence fee; secretarial staff consisting of a Private Secretary and a Peon, office expenses to a maximum of rupees twelve thousand per annum; a telephone and a motor-car, free of charge; travel anywhere in India, in a calendar year to twelve single journeys, by the highest class, by air, rail or steamer, accompanied by a companion or a relative.

4. The implementation of aforesaid provisions would involve certain expenditure from the Consolidated Fund of India. It is estimated that the additional expenditure on salary under clause 2 and on pension under clause 3 of the Bill will be of the order of rupees thirty lakh per annum. Also an additional non-recurring expenditure of rupees seventy-nine lakh twenty-five thousand towards arrears in salary and pension will be there. The expenditure on provision of additional secretarial staff and increased office expenses under clause 3 of the Bill will be of rupees fifteen lakh seventeen thousand one hundred and eighty-four per annum approximately at the present rates. The expenditure on providing secretarial staff, office expenses and a motor-car to the spouses of deceased former Presidents will be of rupees nineteen lakh eighteen thousand eight hundred and twenty-four per annum approximately. It is not feasible to assess the expenditure under clause 3 of the Bill on providing additional telephone facility to former Presidents and expenditure under clause 4 of the Bill for provision of facilities like telephone and facility to travel anywhere in India to the spouses of former Presidents as the actual expenditure has to be reimbursed in these cases.

5. This Bill, if enacted, will not incur any other recurring or non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Item (a) of sub-clause (ii) of clause 3 of the Bill seeks to substitute clause (a) of sub-section (2) of section 2 of the Act so as to make the former President entitled to the use of furnished residence (including its maintenance), without payment of rent, two telephones (one for internet and broadband connectivity), one mobile phone with national roaming facility and a motor-car, free of charge or to such car allowances as may be specified in the rules.

Clause 4 of the Bill seeks to substitute clause (b) of section 3A to make the spouse of a deceased President entitled to the use of furnished residence (including its maintenance) without payment of licence fee; secretarial staff consisting of a Private Secretary and a Peon and office expenses as per actuals, the total expenditure on which shall not exceed twelve thousand rupees per annum; a telephone and motor-car free of charge or such car allowance for the remainder of his life, as may be specified in the rules; travel anywhere in India in a calendar year to twelve single journeys by the highest class by air, rail or steamer, accompanied by a companion or a relative.

All matters in respect of which rules may be made are matters of procedure and administrative detail, and it is not practicable to provide for them in the Bill itself. As such, the proposed delegation of legislative powers is of a normal character.

BILL NO. 67 OF 2008

A Bill further to amend the Vice-President's Pension Act, 1997.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Vice-President's Pension (Amendment) Act, 2008.

Short title and commencement.

(2) Clause (i) of section 2 shall be deemed to have come into force on the 1st day of January, 2006 and the remaining provisions of this Act shall come into force at once.

30 of 1997.

2. In section 2 of the Vice-President's Pension Act, 1997 (hereinafter referred to as the principal Act),—

Amendment of section 2.

(i) in sub-section (1), for the words “of twenty thousand rupees”, the words “at the rate of fifty per cent. of the salary of the Vice-President” shall be substituted;

(ii) in sub-section (2), for clause (c), the following clause shall be substituted, namely:—

“(c) to secretarial staff consisting of a Private Secretary, an Additional Private Secretary, a Personal Assistant and two Peons and office expenses not exceeding sixty thousand rupees per annum.”

3. In section 3A of the principal Act, for the words “unfurnished residence”, the words and brackets “furnished residence (including its maintenance)” shall be substituted.

Amendment of section 3A.

4. After section 5 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 6.

“6. (1) If any difficulty arises in giving effect to the provisions of this Act as amended by the Vice-President's Pension (Amendment) Act, 2008, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiration of two years from the date on which this Act comes into force.

(2) Every order made under sub-section (1) shall be laid before each House of Parliament.”

STATEMENT OF OBJECTS AND REASONS

Under sub-section (1) of section 2 of the Vice-President's Pension Act, 1997, former Vice-Presidents are entitled to a pension of rupees twenty thousand per mensem for remainder of his life. The salary of the Vice-President is being increased with effect from 1st January, 2006 in order to bring parity in the salaries of constitutional functionaries. Therefore, it is proposed to make a former Vice-President entitled to a pension at the rate of fifty per cent. of the salary of the Vice-President per mensem with effect from 1st January, 2006.

2. The former Vice-Presidents are also entitled to one Personal Assistant and one Peon and rupees twelve thousand per annum as office expenses. In order to maintain parity with other dignitaries, it is proposed that the strength of the personal staff of a former Vice-President be increased by providing a Private Secretary, an Additional Private Secretary and an extra Peon. Further, keeping in view the inflation over the years, the office expenses are proposed to be increased from rupees twelve thousand per annum to rupees sixty thousand per annum.

3. The spouse of a deceased Vice-President is entitled to an unfurnished accommodation without maintenance. In order to maintain parity in extension of various facilities to the spouses of deceased Presidents, it is proposed to make the spouse of a deceased Vice-President also entitled to a furnished residence including its maintenance.

4. The Bill seeks to achieve the above objects.

NEW DELHI;
The 15th October, 2008.

SHIVRAJ V. PATIL.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF
INDIA

[Copy of letter No. 10/19/96-M&G dated the 21st October, 2008 from Shri Shivraj V. Patil, Minister of Home Affairs to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the Vice-President's Pension (Amendment) Bill, 2008, recommends the introduction of the Bill in Lok Sabha under article 117(1) of the Constitution as also the consideration of the Bill by Lok Sabha under article 117(3) of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for an increase in the pension of the former Vice-President and facilities of additional secretarial staff consisting of a Private Secretary, an Additional Private Secretary and a Peon and increased office expenses of rupees sixty thousand per annum to a former Vice-President.

2. Clause 3 of the Bill provides for an increase in the entitlement of the spouses of deceased Vice-Presidents to furnished residence (including its maintenance) for the remainder of his or her life.

3. The implementation of aforesaid provisions would involve certain expenditure from the Consolidated Fund of India. It is estimated that the additional expenditure on pension under sub-clause (i) of clause 2 of the Bill will be of the order of rupees seven lakh sixty-five thousand per annum. Also an additional non-recurring expenditure of rupees twelve lakh ninety-six thousand two hundred and fifty towards arrears in pension will be there. The expenditure on provision of additional secretarial staff and increased office expenses under sub-clause (ii) of clause 2 of the Bill will be of the order of rupees thirteen lakh fifty-two thousand seven hundred and forty-eight approximately as per percent rates. It is not feasible to assess as the expenditure under clause 3 of the Bill on providing furnished accommodation to the spouses of deceased Vice-President as the actual expenditure has to be reimbursed.

4. This Bill, if enacted, will not incur any other recurring or non-recurring expenditure.

BILL NO. 69 OF 2008

A Bill further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Governors (Emoluments, Allowances and Privileges) Amendment Act, 2008.

Amendment of section 2.

2. In the Governors (Emoluments, Allowances and Privileges) Act, 1982 (hereinafter referred to as the principal Act), in section 2, in clause (c), for the words “spouse and the dependent children”, the words “spouse, dependent children and the dependent parents” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 2007. 43 of 1982.

Amendment of section 3.

3. In section 3 of the principal Act, for the words “rupees thirty-six thousand per mensem”, the words “rupees one lakh ten thousand per mensem” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 2006.

Power to remove difficulties.

4. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of the principal Act as amended by this Act, as may appear to be necessary or expedient for the purpose of removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date on which this Act comes into force.

(2) Every order made under this section shall, as soon as may be after it is made, to be laid before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

As per the Governors (Emoluments, Allowances and Privileges) Act, 1982, the Governors are entitled to emoluments amounting to rupees thirty-six thousand per mensem with effect from 1st January, 1996. Consequent upon the revision of salary and allowances of various other constitutional authorities, it is proposed to enhance the emoluments of the Governors from rupees thirty-six thousand per mensem to rupees one lakh and ten thousand per mensem with effect from 1st January, 2006.

2. As per the above said Act, the definition of family, *inter alia*, includes the spouse and the dependent children of the Governor. As per the rules made under this Act, the Governor and the members of his family are entitled to medical facilities on the scale and conditions applicable to the highest ranking member of the All India Services under the All India Services (Medical Attendance) Rules, 1954 and in rule 2(c) of these rules, the definition of 'family' means (i) the wife or husband of a member of the service and (ii) the parents, children and stepchildren of such member wholly dependent upon that member. It is, therefore, proposed that the definition of family of the Governor be revised so as to include the 'dependent parents' with effect from 1st January, 2007.

3. In order to overcome any difficulty which may arise while giving effect to the provisions of the said Act as amended by the present Bill, it is proposed to insert clause 4 in order to provide for the 'removal of difficulties' in the Bill to enable the Central Government to issue an order within two years from the commencement of this amendment Bill.

4. The Bill seeks to achieve the above objects.

NEW DELHI;
The 15th October, 2008.

SHIVRAJ V. PATIL

BILL NO. 68 OF 2008

A Bill further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 2008.

Amendment
of section 3 of
Act 20 of
1953.

2. In section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953, in sub-section (1), for the words “forty thousand rupees”, the words “one lakh twenty-five thousand rupees” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 2006.

STATEMENT OF OBJECTS AND REASONS

At present, the Chairman of the Council of States is paid a salary of Rs. 40,000/- per mensem. In view of the enhancement in the Salary and Allowances of Members of Parliament and of officers of the Government of India based on the recommendations of the Sixth Pay Commission and also the amendments being proposed for raising the salary of the President of India and the Governors of States with effect from the 1st day of January, 2006, it is proposed that the salary of the Chairman of the Council of States be also raised to Rs. 1,25,000/- per month with effect from the 1st day of January, 2006 to ensure parity with the emoluments likely to be payable to the President of India and those likely to be payable to the Governor of a State.

2. The Bill seeks to achieve the above objects.

NEW DELHI;
The 1st October, 2008.

VAYALAR RAVI.

President's recommendation under article 117 of the Constitution of India

[Copy of letter F.No. 13(1)/2001-ME/383 dated the 21st October, 2008 from Shri Vayalar Ravi, Minister of Parliamentary Affairs and Overseas Indian Affairs to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Salaries and Allowances of Officers of Parliament (Amendment) Bill, 2008 has recommended its introduction in Lok Sabha under article 117(1) and its consideration by Lok Sabha under article 117(3) of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953 and this has financial implications.

The proposed provision, to be substituted for sub-section (1) in section 3 of the principal Act, provides that there shall be paid to the Chairman of the Council of States a salary of one lakh twenty-five thousand rupees per mensem. This provision would involve an additional expenditure to the tune of Rs. 10,20,000 per annum, which will be recurring in nature.

The provisions of the Bill do not involve any other recurring or non-recurring expenditure.

P.D.T. ACHARY,
Secretary-General.